

FILED
COURT
NORTHERN DISTRICT OF CALIFORNIA

1 UNITED STATES DISTRICT COURT

2 NORTHERN DISTRICT OF CALIFORNIA

3
4
5 Luz-Maria Urzua) Case No. 07-cv-05906 JSW
6)
7 C/o 6787 Hillsview Dr,) VERIFIED NOTICE OF DEFAULT
8 Vacaville, California Zip Code)
9 Exempt,)
10 Libellant,)
11 vs.)
12 AMERICA'S SERVICING COMPANY et. Al.)
13 C/o P.O. BOX 60768)
14 Los Angeles, California [90060])
15 Libellee,)

16 VERIFIED NOTICE OF DEFAULT

17 Now, by special appearance, comes Luz-Maria Urzua, the flesh and blood
18 woman, Sui Juris and unschooled in law, hereinafter referred to as me, my, I,
19 or the like, to make the following AFFIDAVIT with clean hands, full
20 disclosure and no intent to defraud, furthermore, the following first hand
asseverations are true, complete, certain and not meant to mislead or delay.

21 1.) I am of legal age, competent to testify and under no legal
22 disability.

23 2.) Libellant has filed an action for declaratory judgment as a
24 result of libellee's breach of agreement.

25 3.) Libellant has exhausted his administrative remedies in this

instant matter.

4.) Libellant seeks a default judgment as libellees have failed to rebut the complaint.

5.) Libellees have failed to ask for a more definitive statement and are in agreement with libellant.

OVERVIEW OF FACTS

6.) On July 26, 2007 Libellees sent a presentment to me demanding payment of a sum certain.

7.) I conditionally accepted that presentment upon AMERICA'S SERVICING COMPANY continuing fiduciary duty to deal honestly and answer questions about the underlying obligation.

8.) I then sought to exhaust my administrative remedies.

9.) On November 21, 2007 I filed suit in UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA, Case number CV 07 5906 JSW with the administrative procedure attached.

10.) THE RECORD shows that AMERICA'S SERVICING COMPANY received a copy of the Order Setting Initial Case Management Conference and ADR Deadlines on January 21, 2008, see attached copy Registered Mail No. RR58 3571 086US

11.) The RECORD shows that AMERICA'S SERVICING COMPANY has refused and/or failed to answer and defend

18. *ibid.* The author would like to thank the anonymous referee for his/her useful suggestions. ¹ See also CW 25.886, TCU, 1991, folio 1.

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15.) The RECORD shows that no request for a more definitive statement was presented by AMERICA'S SERVICING COMPANY.

¹⁶) The Federal Rules of Civil Procedure provide for default judgment by

the clerk for a failure to appear and defend [rule 55(a)].

17.) The Protest evidences AMERICA'S SERVICING COMPANY'S agreement,
2 consent and stipulation to my position.

18.) AMERICA'S SERVICING COMPANY is in default.

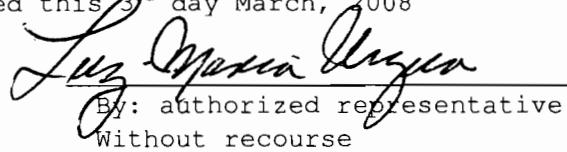
19.) A default judgment by the clerk establishing AMERICA'S SERVICING
5 COMPANY default is appropriate.

20.) A sum certain amount of 148,515,714.16 is due and owing libellant
7 by libellee.

21.) AMERICA'S SERVICING COMPANY and/or any other interested party has
8 three days from the verified receipt of this VERIFIED NOTICE OF DEFAULT
9 to rebut this AFFIDAVIT item by item and line by line or be forever
10 estopped by default.

11
12 My yea is my yea and my nay is my nay.

13 Dated this 3rd day March, 2008

14 
15 By: authorized representative
Without recourse

Registered No. RR583571086US

Date Stamp



Domestic Insurance up to
\$25,000 is included in the fee.
International Indemnity
is limited.
(See Reverse).

To Be Completed By Post Office	Reg. Fee	\$9.50		
	Handling Charge	\$0.00	Return Receipt	\$0.00
	Postage	\$1.47	Restricted Delivery	\$0.00
	Received by _____			
Customer Must Declare Full Value \$ 0.00		<input type="checkbox"/> With Postal Insurance <input type="checkbox"/> Without Postal Insurance		

OFFICIAL USE

To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	Leomaria Urrea 6787 Hillview Dr. Vacaville, CA 95688
	TO	America's Servicing Co 111 S. ANGELA, CA 90040 Attn: John Stumpf, CEO PO Box 60768 Los Angeles, CA 90060 0768

PS Form 3806, Receipt for Registered Mail Copy 1 - Customer
May 2004 (7530-02-000-9051) (See Information on Reverse)
For domestic delivery information, visit our website at www.usps.com ®

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1 UNITED STATES DISTRICT COURT

2 NORTHERN DISTRICT OF CALIFORNIA

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7 Vacaville, California Zip Code))

8 Exempt,))

9 Libellant,))

10 vs.))

11 AMERICA'S SERVICING COMPANY et. Al.))

12 C/o P.O. BOX 60768))

13 Los Angeles, California [90060]))

14 Libellee,))

15 CERTIFICATE OF SERVICE

16 Now, by special appearance, comes Luz-Maria Urzua, the flesh and blood

17 woman, Sui Juris and unschooled in law, hereinafter referred to as me, my, I,

18 or the like, to make the following NOTICE with clean hands, full disclosure

19 and no intent to defraud, furthermore, the following first hand asseverations

20 are true, complete, certain and not meant to mislead.

21 NOTICE is hereby given that:

22 11.) I am of legal age, competent to testify and under no legal
23 disability.

1 12.) This is to certify that on March 3rd, 2008 I placed a true and
2 accurate copy of the enclosed VERIFIED NOTICE OF DEFAULT in the U. S.
3 mail with postage prepaid and addressed as follows:

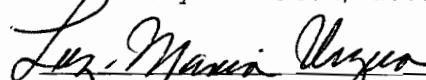
4 AMERICA'S SERVICING COMPANY

5 C/o P.O. Box 60768

6 Los Angeles, California [90060]

7 With certified mail number 7006 0100 0005 6183 8793

8
9 Dated this 3rd day of March, 2008

10 

11 By: authorized representative
Without recourse